

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Ed Kaminski,

FILED ELECTRONICALLY

Plaintiff

v.

Accounts Recovery Bureau, Inc.,

Defendant

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**COMPLAINT**

**I. Introduction**

1. This is an action for damages brought by an individual consumer for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (“the Act”) which prohibits debt collectors from engaging in abusive, unfair, and deceptive practices.

**II. Jurisdiction and Venue**

2. Jurisdiction of this Court is proper pursuant to 15 U.S.C. § 1692k(d), which permits an action under the Act to be brought in any court of competent jurisdiction.

3. Venue in this district is proper in that Defendant transacts business here and the conduct complained of is alleged to have occurred here.

**III. Parties**

4. Plaintiff, Ed Kaminski, is a natural person residing at 228 Mary

Ave., Mountaintop, PA 18707.

5. Defendant, Accounts Recovery Bureau, Inc., (“the Collector”) is a corporation engaged in the business of collecting debts in this state with a place of business located at 555 Van Reed Road, Wyomissing, PA 19610 and is a “debt collector” as defined by the Act, 15 U.S.C. § 1692a(6).

#### **IV. Statement of Claim**

6. Within the past year the Collector was attempting to collect an alleged account (“the Account”) from Plaintiff.

7. The Account is a “debt” as that term is defined by the Act, 15 U.S.C. § 1692a(5).

8. The Collector regularly uses the telephone to attempt to collect consumer debts alleged to be due another.

9. Within the last year, the Collector caused at least one telephone call to be placed to phone number (570) 868-0257.

10. The aforementioned phone number was assigned to the address identified in paragraph 4 at all times relevant to this matter.

11. During the call, the Collector left a message for Plaintiff.

12. 15 U.S.C. § 1692e(11) requires a debt collector to disclose that the communication is from a debt collector in each communication with a consumer.

13. In the message, the Collector failed to disclose that the call was from a debt collector.

14. 15 U.S.C. § 1692d(6) requires a debt collector to provide a meaningful disclosure of identity in each communication with a consumer.

15. In the message, the Collector failed to provide this meaningful disclosure because it did not state the name of the Collector, or the purpose of the call.

16. *The Calls and the Messages* were attempts to collect the Account.

17. Defendant violated the Act, 15 U.S.C. § 1692, subsections d(6) and e(11).

WHEREFORE, Plaintiff demands judgment against Defendant for damages, costs, attorney's fees, and such other and further relief as the Court deems just and proper.

## **V. Demand for Jury Trial**

Plaintiff demands a trial by jury as to all issues so triable.

Respectfully Submitted,

s/ Kristin Sabatini  
Kristin Sabatini

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